

## McHenry County Clerk of the Circuit Court

2200 N. Seminary Avenue  
 Woodstock, Illinois 60098  
 (815) 334-4190

**Statement of Charge & Disposition for Case Number 04CF001108**

04CF001108 PEOPLE VS. SWEENEY, ROBERT H

Defendant: ROBERT H SWEENEY

Defendant's Date of Birth: 11/25/1970

Driver's License No.: S50076870335 State: IL

Defendant: ROBERT H SWEENEY

Defendant's Date of Birth: 11/25/1970

Driver's License No.: State:

<u>Charge Description</u>	<u>Chapter/Section</u>	<u>Offense Date</u>	<u>Disposition Date</u>	<u>Disposition</u>
THEFT/UNAUTHD CON/<\$300/1ST	720-5/16-1(a)(1) 1	12/6/2004	4/4/2005	JUDGMENT - CONVICTION
Charge Class: A STATE-ACTUAL-AMENDED CHARGE				
Ticket Number:	Accident: NO ACCIDENT		Plea: GUILTY - NEGOTIATED	
Sentence COND. DISCHARGE/SPECIAL CONDITIONS		12.00 MONTH(S)	4/4/2005	
Sentence CREDIT TIME SERVED		129.00 DAY(S)	4/4/2005	
Sentence FINE, COSTS, FEES		812.65 AMOUNT	4/4/2005	
THEFT CON INTENT <\$300 PRIOR	720-5/16-1(a)(1)(A) 2	12/6/2004	4/4/2005	AMENDED
Charge Class: 4	STATE-ACTUAL-ORIGINAL			
Ticket Number:	Accident: NO ACCIDENT		Plea: NOT GUILTY	

Municipality: WOODSTOCK

I hereby certify the above to be a  
 true and correct copy of the  
 original court record.

DATED 7/24/2008




Clerk of the Circuit Court of the 22nd Judicial Circuit  
 McHenry County, Illinois

Westlaw.

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W.S.A. 450.11



West's Wisconsin Statutes Annotated Currentness

Regulation and Licensing (Ch. 440 to 480)

Chapter 450. Pharmacy Examining Board (Refs & Annos)

→ 450.11. Prescription drugs and prescription devices

**(1) Dispensing.** No person may dispense any prescribed **drug** or device except upon the **prescription** order of a practitioner. All **prescription** orders shall specify the date of issue, the name and address of the patient, the name and address of the practitioner, the name and quantity of the **drug** product or device prescribed, directions for the use of the **drug** product or device, the symptom or purpose for which the **drug** is being prescribed if required under sub. (4)(a)8., and, if the order is written by the practitioner, the signature of the practitioner. Any oral **prescription** order shall be immediately reduced to writing by the pharmacist and filed according to sub. (2).

**(1m) Electronic transmission.** Except as provided in s. 453.068(1)(c)4., a practitioner may transmit a **prescription** order electronically only if the patient approves the transmission and the **prescription** order is transmitted to a pharmacy designated by the patient.

**(2) Prescription** order file. Every **prescription** order shall be filed in a suitable book or file and preserved for at least 5 years. Subject to s. 961.38(2), **prescription** orders transmitted electronically may be filed and preserved in electronic format.

**(3) Preparation of prescription drugs.** No person other than a pharmacist or practitioner or their agents and employees as directed, supervised and inspected by the pharmacist or practitioner may prepare, compound, dispense or prepare for delivery for a patient any **prescription drug**.

**(4) Label required.** (a) Except as provided under par. (b), no prescribed **drug** or device may be dispensed unless there is a label attached to the container disclosing all of the following:

1. The name and address of the dispensing practitioner or licensed facility from which the prescribed **drug** or device was dispensed.

1m. The telephone number of the pharmacy, if the prescribed **drug** or device is dispensed by an out-of-state pharmacy licensed under s. 450.065.

2. The date on which the **prescription** was dispensed.

3. The number of the **prescription** order as recorded in the **prescription** order file of the facility from which the **prescription** was dispensed.

4. The name of the practitioner who prescribed the **drug** or device.

5. The full name of the patient.

6. Directions for use of the prescribed **drug** or device as contained in the **prescription** order.

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7. The name and strength of the prescribed **drug** dispensed, unless the prescribing practitioner requests omission of the name and strength of the **drug** dispensed.

8. The symptom or purpose for which the **drug** is being prescribed if the **prescription** order specifies the symptom or purpose under sub. (4m).

(b) Paragraph (a) does not apply to complimentary samples of **drug** products or devices dispensed by a practitioner to his or her patients.

**(4g) Brand name permitted on label.** (a) In this subsection:

1. "Brand name" has the meaning given in s. 450.12(1)(a).

2. "Drug product equivalent" has the meaning given in s. 450.13(1).

3. "Generic name" has the meaning given in s. 450.12(1)(b).

(b) If a pharmacist, pursuant to a prescription order that specifies a drug product by its brand name, dispenses the drug product equivalent of the drug product specified in the prescription order, the label required under sub. (4)(a) may include both the generic name of the drug product equivalent and the brand name specified in the prescription order, unless the prescribing practitioner requests that the brand name be omitted from the label.

**(4m) Label options.** If a patient indicates in writing to a practitioner who makes a prescription order for the patient that the patient wants the symptom or purpose for the prescription to be disclosed on the label, the practitioner shall specify the symptom or purpose in the prescription order.

**(5) Renewals.** No prescription may be renewed except as designated on the prescription order. An accurate record of renewal dispensing shall be maintained showing the date and amount. No prescription may be renewed unless the requirements of sub. (1) and, if applicable, sub. (1m) have been met and written, oral or electronic authorization has been given by the prescribing practitioner.

**(6) Sales of prescription drugs.** In the event of any sale of prescription drugs in bankruptcy, at public auction or any other sale of prescription drugs other than in the normal course of business or practice, the seller shall give written notice of the sale to the board at least one week prior to the date of sale and shall make a complete and accurate written report of the sale to the board within 10 days after the sale, showing the name and address of all of the purchasers of prescription drugs together with an itemized inventory of the prescription drugs sold to each purchaser. This subsection does not apply to the sale of a manufacturer, distributor or pharmacy as an ongoing business or practice if the parties first notify the board of the impending sale.

**(7) Prohibited acts.** (a) No person may obtain or attempt to obtain a **prescription drug**, or procure or attempt to procure the administration of a **prescription drug**, by **fraud**, deceit or willful misrepresentation or by forgery or alteration of a **prescription** order; or by willful concealment of a material fact; or by use of a false name or address.

(b) Information communicated to a physician or advanced practice nurse prescriber in an effort to procure unlawfully a **prescription drug** or the administration of a **prescription drug** is not a privileged communication.

(c) No person may willfully make a false statement in any **prescription** order, report or record required by this

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section.

- (d) No person may, for the purpose of obtaining a **prescription drug**, falsely assume the title of, or represent himself or herself to be, a manufacturer, distributor, pharmacist or practitioner.
- (e) No person may make or utter any false or forged **prescription** order.
- (f) No person may willfully affix any false or forged label to a package or receptacle containing **prescription drugs**.
- (g) Except as authorized by this chapter, no person may possess, with intent to manufacture or deliver, a **prescription drug**. Intent under this paragraph may be demonstrated by, without limitation because of enumeration, evidence of the quantity and monetary value of the substance possessed, the possession of manufacturing implements or paraphernalia, and the activities or statements of the person in possession of the prescription drug prior to, during and after the alleged violation.
- (h) No person may possess a prescription drug unless the prescription drug is obtained in compliance with this section.
- (i) No pharmacist, manufacturer, distributor, owner or operator of a pharmacy or agent of a pharmacist, manufacturer, distributor or such an owner or operator may give any compensation or anything of value to a practitioner for the purpose of providing, or inducing the practitioner to obtain, any equipment, computer software or access to a service that may be used for the electronic transmission of a prescription order.

**(8) Rule-making authority.** The department of justice may promulgate rules necessary for the enforcement of this section. In addition to all law enforcement officers and agencies, the enforcement of this section is the responsibility of the department and:

- (a) The board, insofar as this section applies to pharmacists.
- (b) The medical examining board, insofar as this section applies to physicians.
- (bm) The podiatrists affiliated credentialing board, insofar as this section applies to podiatrists.
- (c) The veterinary examining board, insofar as this section applies to veterinarians.
- (d) The dentistry examining board, insofar as this section applies to dentists.
- (e) The board of nursing, insofar as this section applies to advanced practice nurse prescribers.

**(9) Penalties and enforcement proceedings.** (a) Except as provided in par. (b), any person who violates this section may be fined not more than \$500 or imprisoned not more than 6 months or both.

- (b) Any person who delivers, or who possesses with intent to manufacture or deliver, a prescription drug in violation of this section is guilty of a Class H felony.
- (c) In any action or proceeding brought for the enforcement of this section, it shall not be necessary to negate any exception or exemption contained in this section, and the burden of proof of any such exception or exemption shall be upon the defendant.